

**Introduced by Senator Hernandez  
(Coauthor: Senator Liu)**

(Coauthors: Assembly Members Cristina Garcia and Rendon)

February 26, 2015

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An act to add Section 4730.68 to the Health and Safety Code, relating to public sanitation.

LEGISLATIVE COUNSEL'S DIGEST

SB 485, as introduced, Hernandez. County of Los Angeles: sanitation districts.

The County Sanitation District Act authorizes a sanitation district to acquire, construct, and complete certain works, property, or structures necessary or convenient for sewage collection, treatment, and disposal.

This bill would authorize specified sanitation districts in the County of Los Angeles, to acquire, construct, operate, maintain, and furnish facilities for the diversion, management, and treatment of stormwater and dry weather runoff, the discharge of the water to the stormwater drainage system, and the beneficial use of the water.

This bill would make legislative findings and declarations as to the necessity of a special statute for the County of Los Angeles.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. The Legislature hereby finds and declares all of
- 2 the following:
- 3 (a) The county sanitation districts of Los Angeles County
- 4 (sanitation districts) were established in 1923 under the County

1 Sanitation District Act (Chapter 3 (commencing with Section 4700)  
2 of Part 3 of Division 5 of the Health and Safety Code).

3 (b) The sanitation districts provide regional solid waste  
4 management and wastewater collection and treatment services for  
5 5.5 million people in 78 cities and unincorporated communities.

6 (c) Eighty-four cities in Los Angeles County, the Los Angeles  
7 County Flood Control District, and Los Angeles County  
8 unincorporated areas are all regulated under a permit for the  
9 Municipal Separate Storm Sewer System (MS4), the most recent  
10 of which was adopted by the California Regional Water Quality  
11 Control Board, Los Angeles Region, in December 2012.

12 (d) The City of Long Beach is regulated under its own permit  
13 for its MS4, the most recent of which was adopted by the regional  
14 board in February 2014.

15 (e) The MS4 is a large interconnected system that encompasses  
16 over 3,000 square miles, and is controlled in large part by the Los  
17 Angeles County Flood Control District and used by multiple cities  
18 along with Los Angeles County.

19 (f) The Los Angeles County Flood Control District is primarily  
20 focused on operation and maintenance of the larger, downstream  
21 MS4 infrastructure into which the smaller, upstream city MS4  
22 infrastructure discharges.

23 (g) This extensive system conveys stormwater and  
24 non-stormwater across municipal boundaries where it is  
25 commingled within the MS4 and then discharged to receiving  
26 water bodies, such as the Los Angeles River and San Gabriel River.

27 (h) It will be necessary for the cities, Los Angeles County Flood  
28 Control District, and Los Angeles County to spend millions of  
29 dollars per year to comply with the Los Angeles Region MS4  
30 permits.

31 (i) The Los Angeles Region MS4 permits prohibit the discharge  
32 of non-stormwater discharges to MS4 (unless authorized under  
33 another permit or specifically exempted from the MS4 permit),  
34 and one management technique that can be effective in cleaning  
35 up non-stormwater discharges is to divert dry weather runoff into  
36 the sanitary sewer system, if sewer and treatment plant capacity  
37 are available and other regulatory requirements are met.

38 (j) Many of the cities, the Los Angeles County Flood Control  
39 District, and Los Angeles County are preparing watershed  
40 management plans and enhanced watershed management plans in

1 order to identify stormwater and dry weather urban runoff projects  
2 and activities that will bring the MS4 under their jurisdiction into  
3 compliance with the Los Angeles Region MS4 permits.

4 (k) The presiding officers of the cities and the Chairman of the  
5 County Board of Supervisors serve as members of the boards of  
6 directors of the sanitation districts.

7 (l) The administrative board of directors of the sanitation  
8 districts formally requested that the Sanitation Districts seek the  
9 authority to use its civil engineering and water quality expertise  
10 to help the cities and county manage stormwater and dry weather  
11 urban runoff in order to comply in an efficient and effective manner  
12 with the Los Angeles Region MS4 permit.

13 (m) Because of the unique circumstances of the sanitation  
14 districts and the Los Angeles Region MS4, special legislation is  
15 necessary to augment the sanitation districts' powers under the  
16 County Sanitation District Act.

17 SEC. 2. Section 4730.68 is added to the Health and Safety  
18 Code, to read:

19 4730.68. (a) This section applies only to county sanitation  
20 district numbers 1, 2, 3, 4, 5, 8, 9, 14, 15, 16, 17, 18, 19, 20, 21,  
21 22, 23, 27, 28, 29, and 34 of Los Angeles County, Newhall Ranch  
22 Sanitation District, South Bay Cities Sanitation District of Los  
23 Angeles County, and Santa Clarita Valley Sanitation District of  
24 Los Angeles County, and any new county sanitation district  
25 subsequently formed in the County of Los Angeles. The powers  
26 granted in this section supplement the existing powers of each  
27 district.

28 (b) A district may acquire, construct, operate, maintain, and  
29 furnish facilities for any of the following purposes:

30 (1) The diversion of stormwater and dry weather runoff from  
31 the stormwater drainage system within the district.

32 (2) The management and treatment of the stormwater and dry  
33 weather runoff.

34 (3) The discharge of the water to the stormwater drainage system  
35 or receiving waters.

36 (4) The beneficial use of the water.

37 (c) In order to carry out the powers and purposes granted under  
38 this section, the district may exercise any of the powers otherwise  
39 granted to a district by this chapter to the extent those powers may  
40 be made applicable.

1 (d) This section does not affect any obligation of a district to  
2 obtain a permit that may be required by law for the activities  
3 undertaken pursuant to this section.

4 (e) For purposes of this section, “stormwater” and “dry weather  
5 runoff” have the same meaning as in Section 10561.5 of the Water  
6 Code.

7 (f) Nothing in this section shall be construed to require any local  
8 agency to participate, financially or otherwise, in a project pursued  
9 under the authority granted by this section.

10 (g) This section is not intended to alter any of the following:

11 (1) Existing water rights, including any adjudicated rights.

12 (2) Existing water rights law.

13 (3) Any rights, remedies, or obligations that may exist pursuant  
14 to Article 1 (commencing with Section 1200) of Article 1.5  
15 (commencing with Section 1210) of Chapter 1 of Part 2 of Division  
16 2 of the Water Code, or Chapter 8.5 (commencing with Section  
17 1501) of Part 1 of Division 1 of the Public Utilities Code.

18 SEC. 3. The Legislature finds and declares that a special law  
19 is necessary and that a general law cannot be made applicable  
20 within the meaning of Section 16 of Article IV of the California  
21 Constitution because of the unique circumstances of the County  
22 Sanitation Districts of Los Angeles County.